

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 3975-01  
Bill No.: HB 1437  
Subject: Motor Carriers; Transportation Dept.  
Type: Original  
Date: March 2, 2004

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**FISCAL SUMMARY**

| <b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>                   |            |            |            |
|---|------------|------------|------------|
| FUND AFFECTED   | FY 2005    | FY 2006    | FY 2007    |
|   |            |            |            |
|   |            |            |            |
| <b>Total Estimated<br/>Net Effect on<br/>General Revenue<br/>Fund</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> |

| <b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>                      |            |            |            |
|---|------------|------------|------------|
| FUND AFFECTED   | FY 2005    | FY 2006    | FY 2007    |
|   |            |            |            |
|   |            |            |            |
| <b>Total Estimated<br/>Net Effect on <u>Other</u><br/>State Funds</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> |

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 4 pages.

| ESTIMATED NET EFFECT ON FEDERAL FUNDS                                 |            |            |            |
|---|------------|------------|------------|
| FUND AFFECTED   | FY 2005    | FY 2006    | FY 2007    |
|   |            |            |            |
|   |            |            |            |
| <b>Total Estimated<br/>Net Effect on <u>All</u><br/>Federal Funds</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> |

| ESTIMATED NET EFFECT ON LOCAL FUNDS |            |            |            |
|-------------------------------------|------------|------------|------------|
| FUND AFFECTED                       | FY 2005    | FY 2006    | FY 2007    |
| <b>Local Government</b>             | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> |

### FISCAL ANALYSIS

#### ASSUMPTION

Officials with the **Department of Public Safety – Missouri State Highway Patrol, Department of Revenue, Office of State Courts Administrator, and State Public Defender’s Office** assume this proposal would have no fiscal impact on their agencies.

Officials with the **Department of Transportation (MoDOT)** assume this proposal allows a motor carrier to appeal the decision of voluntary audit, requiring the hiring of one attorney to handle the increased volume and lengthier appeals. **Oversight** assumes that current staff can handle the caseload of appeals generated by this. If, in the future, the volume of cases exceeds the capacity of present staff, MoDOT could request funding to add staff through the appropriation process.

Officials from the **Office of Secretary of State (SOS)** assume this proposal would give MHTC the authority to adopt rules to implement provisions of this act. These rules would be published in the Missouri Register and the Code of State Regulations. These rules could require as many as 6 pages in the Code of State Regulations and half again as many pages in the Missouri Register, as cost statements, fiscal notes, and the like are not repeated in the Code. The estimated cost of a page in the Missouri Register is \$23 and the estimated cost of a page in the Code of State

ASSUMPTION (continued)

Regulations is \$27. Based on these costs, the estimated cost of the proposal with respect to rule-making is \$369 in FY05 and unknown in subsequent years. The actual cost could be more or less than the numbers given. The impact of this legislation in future years is unknown and depends upon the frequency and length of rules filed, amended, rescinded, or withdrawn.

**Oversight** assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which would require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process.

| <u>FISCAL IMPACT - State Government</u> | FY 2005<br>(10 Mo.) | FY 2006    | FY 2007    |
|---|---------------------|------------|------------|
|   | <u>\$0</u>          | <u>\$0</u> | <u>\$0</u> |

| <u>FISCAL IMPACT - Local Government</u> | FY 2005<br>(10 Mo.) | FY 2006    | FY 2007    |
|---|---------------------|------------|------------|
|   | <u>\$0</u>          | <u>\$0</u> | <u>\$0</u> |

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION


This legislation allows motor carriers to elect to have voluntary audits conducted by MHTC without incurring liability if the commission discovers deficiencies. Such audits are to be performed by existing staff. At least one-third of the total audits performed within a fiscal year must be voluntary audits. If auditors discover on a voluntary audit a violation that presents a safety issue for the traveling public, MHTC may shut down the operation of the motor carrier but may not impose a fine for the violation.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

RK:LR:OD (12/02)

SOURCES OF INFORMATION

Department of Transportation  
Office of Secretary of State  
Department of Public Safety – Missouri State Highway Patrol  
Department of Revenue  
Office of State Courts Administrator  
State Public Defender's Office

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA  
Director  
March 2, 2004